No. 679.

In the

# Supreme Court of the United States

October Term, 1959.

TRANS WORLD AIRLINES, INC., *Petitioner*,

vs.

DELTA AIR LINES, INC., AMERICAN AIRLINES, INC., EASTERN AIR LINES, INC., NATIONAL AIRLINES, INC., CIVIL AERONAUTICS BOARD, CITY OF NASHVILLE, TENNESSEE, AND THE NASHVILLE CHAMBER OF COMMERCE, CITY OF TAMPA, FLORIDA, AND THE GREATER TAMPA CHAMBER OF COMMERCE, CITY OF KANSAS CITY, MISSOURI, CITY OF ST. LOUIS, MISSOURI, AND THE CHAMBER OF COMMERCE OF METROPOLITAN ST. LOUIS, *Respondents*.

## MEMORANDUM OF RESPONDENT.

RICHARD H. KOENIGSDORF,
City Counselor,
DOROTHY F. FARDON,
Assistant City Counselor,
City of Kansas City, Missouri,
2800 City Hall,
Kansas City, Missouri
*Attorneys for Respondent.*

SMITH-GRIEVES LAW PRINTERS, KANSAS CITY, MO.

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## MEMORANDUM OF RESPONDENT.

Trans World Airlines, Inc., has filed herein its "Petition for a Writ of Certiorari to the United States Court of Appeals for the District of Columbia Circuit" seeking a review of the judgment of that court entered on December 10, 1959, and amended January 7, 1960.

The City of Kansas City, Missouri, while technically a respondent herein, supported in the Court of Appeals for the District of Columbia Circuit, the decision of the respondent, Civil Aeronautics Board, which decision the Court ordered reversed and remanded.

The Civil Aeronautics Board, after extensive proceedings, certificated Trans World Airlines, Inc., between St. Louis and Miami. It is the position of the City of Kansas City, Missouri, that the services made possible by this authorization are of great value to Kansas City and should not be disturbed for the benefit of remote private interests that can offer no comparable service to this important community. It is further the position of Kansas City that it should not be obliged to await the resolution of private conflicts in distant areas of the country before being afforded the improved access to the Southeast that the Board's decision made possible.

For these reasons, respondent, City of Kansas City, Missouri, does not oppose, but, on the contrary, supports the petition for a writ of certiorari filed by Trans World Airlines herein, and hence waives its rights to file a brief in opposition thereto.

Respectfully submitted,

RICHARD H. KOENIGSDORF,
City Counselor,
DOROTHY F. FARDON,
Assistant City Counselor,
City of Kansas City, Missouri,
2800 City Hall,
Kansas City, Missouri
*Attorneys for Respondent.*

March 1, 1960.